IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.04.2006

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice J.A.K.SAMPATHKUMAR

Habeas Corpus Petition No.357 of 2006
& HCMP No.35 of 2006

San.J.Rock Fort ... Petitioner

vs.

1. Prakash

2. Shanthi

3. The Inspector of Police,
R9 Vallasarvakkam Police Station,
Chennai. ... Respondents

Petition under Article 226 of the Constitution of India for the issuance of a Writ of Habeas Corpus to direct the respondents to produce the body of detenue Meena, aged 21 years, before the Court and set her at liberty.

For petitioner : N.R. Elango
For R-1 and R-2: Mr.Parthasarathy
For R-3 : Mr.Varadharajan, for
Abudukumar Rajarathinam,
Government Advocate.(Crl Side)

O R D E R

(Order of the Court was made by P.SATHASIVAM, J.)

The petitioner by name San.J.Rock Fort has filed this Habeas Corpus Petition seeking for a direction to produce one Meena, aged about 21 years, before this Court and set her at liberty.

2. Pursuant to the direction of this Court, the detenue (Meena) appeared before us. We enquired her. According to her, she is a major, her date of birth being 07.04.1986. She informs that she married the petitioner on 20.3.2006 and that, for various reasons, she is not interested in continuing her life

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

with the petitioner. According to her, at present, she is residing with her parents and she wishes to live with them.

3. In the light of the assertion and the statement of the detenue and of the fact that she is a major, we hold that she is not in illegal custody of anyone including respondents-1 and 2. The detenue is free to decide her future. Equally, the petitioner is at liberty to vindicate his grievance before appropriate forum.

Habeas Corpus Petition is closed. Connected Miscellaneous Petition is dismissed.

JI.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The Inspector of Police,
R9 Valasaravakkam Police Stn., Chennai.

2. The Public Prosucutor, High Court, Madras.

+ 1 cc to Mr.R. Vivekananthan, Advocate SR No.17522

HCP No.357 of 2006.

TEJ(CO)
SR/18.4.2006

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/